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PATENT
Case No. 7780/17
(T00343)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re patent application of:)	
)	
WEIJING CHEN ET AL.)	Examiner: PEACHES, RANDY
)	
Serial No.: 09/932,842)	
)	
Filed: AUGUST 17, 2001)	Group Art Unit: 2686
)	
Title: PUBLIC WIRELESS LOCAL)	
AREA NETWORK)	

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22202-1450

Dear Sir:

Please consider Appellants' Appeal brief as follows:

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1. REAL PARTY IN INTEREST

The real party in interest is Assignee SBC KNOWLEDGE VENTURES.

2. RELATED APPEALS AND INTERFERENCES

Appellants and the undersigned attorneys are not aware of any appeals or any interferences which will directly affect or be directly affected by or having a bearing on the Board's decision in the pending appeal.

3. STATUS OF CLAIMS

Claims 1-2 and 4-5 stand rejected as anticipated by Lemieux, United States Patent No. 6,452,942.

Claims 6-8, 10-11, 13-14, 16, and 18-19 stand rejected as unpatentable over Lemieux in view of Soussi, United States Patent Publication 2002/0142721A1.

Claim 3 stand rejected as unpatentable over Lemieux in view of Tuli, United States Patent 6,633,314B1.

Claims 12 and 17 stand rejected as unpatentable over Lemieux in view of Soussi, and in further view of Tuli.

Claim 9 stands rejected as unpatentable over Lemieux in view of Nojima, United States Patent 6,233,460.

Claims 15 and 20 stand rejected as unpatentable over Lemieux in view of Soussi, and in further view of Nojima.

Claims 1-20 are the claims on appeal. *See*, Appendix.

4. STATUS OF AMENDMENTS

No amendments have been made.

5. SUMMARY OF CLAIMED SUBJECT MATTER

In this summary of claimed subject matter, all citations are to the specification of United States Patent Application 09/932,842 filed on August 17, 2001. Further, all citations are illustrative only and support for the cited element may be found elsewhere in the specification.

Independent Claim 1:

The invention relates to a system for establishing a public wireless local area network 10 for a plurality of wireless communication devices 12. The system includes a public switched telephone network 14 and a digital subscriber line access multiplexer 16 in communication with the public switched network. The system further includes at least one public telephone 18 in communication with the public switched telephone network, and a wireless local area network hub 22 in communication with the public telephone and with the digital subscriber line access multiplexer, the wireless local area network hub being adapted to establish a digital subscriber line connection with the wireless communication devices. See, inter alia, FIG. 1 (below), and page 3 line 10 to page 4 line 15.

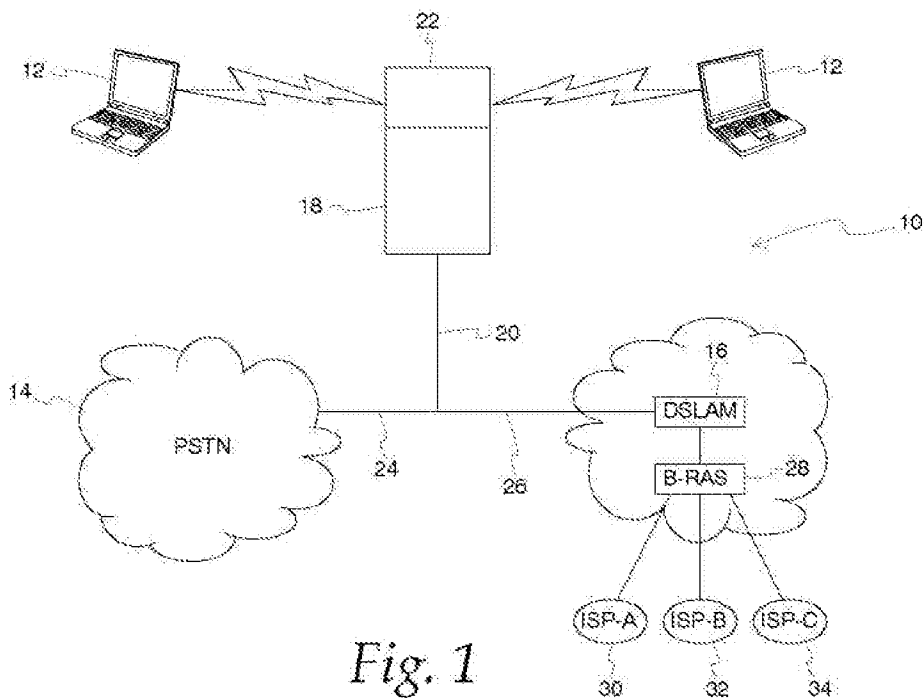


Fig. 1

Independent claim 10:

Another aspect of the invention relates to a system for establishing a public wireless local area network for a plurality of wireless communication devices. The system includes a public switched telephone network 14, a digital subscriber line access multiplexer 16 in communication with the publicly switched network, and at least one public telephone 18 in communication with the publicly switched telephone network 14. The system also includes a wireless local area network hub 22 operating according to IEEE standard 802.11b, the wireless local area network hub 22 in communication with the public telephone 18 and with the digital subscriber line access multiplexer 16, the wireless local area network hub 22 being adapted to establish a digital subscriber line connection with the wireless communication devices. See, inter alia, FIG. 1, and page 3 line 10 to page 4 line 15.

Independent claim 16:

Another aspect of the invention relates to a system for establishing a public wireless local area network for a plurality of wireless communication devices. The system includes a public switched telephone network 14 and a digital subscriber line access multiplexer 16 in communication with the public switched network 14. The system also includes at least one public telephone 18 in communication with the public switched telephone network 14 and a wireless local area network hub 22 operating according to IEEE standard 802.11b, the wireless local area network hub 22 in communication with the public telephone 14 and with the digital subscriber line access multiplexer 16. The wireless local area network hub is adapted to establish a digital subscriber line connection with the wireless communication devices. In addition, the invention includes a broadband remote access service 28 in communication with the digital subscriber line access multiplexer 16. See, inter alia, FIG. 1, and page 3 line 10 to page 4 line 15.

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-2 and 4-5 were rejected as anticipated by Lemieux, United States Patent No. 6,452,942.

Claims 6-8, 10-11, 13-14, 16, and 18-19 were rejected as unpatentable over Lemieux in view of Soussi, United States Patent Publication 2002/0142721A1.

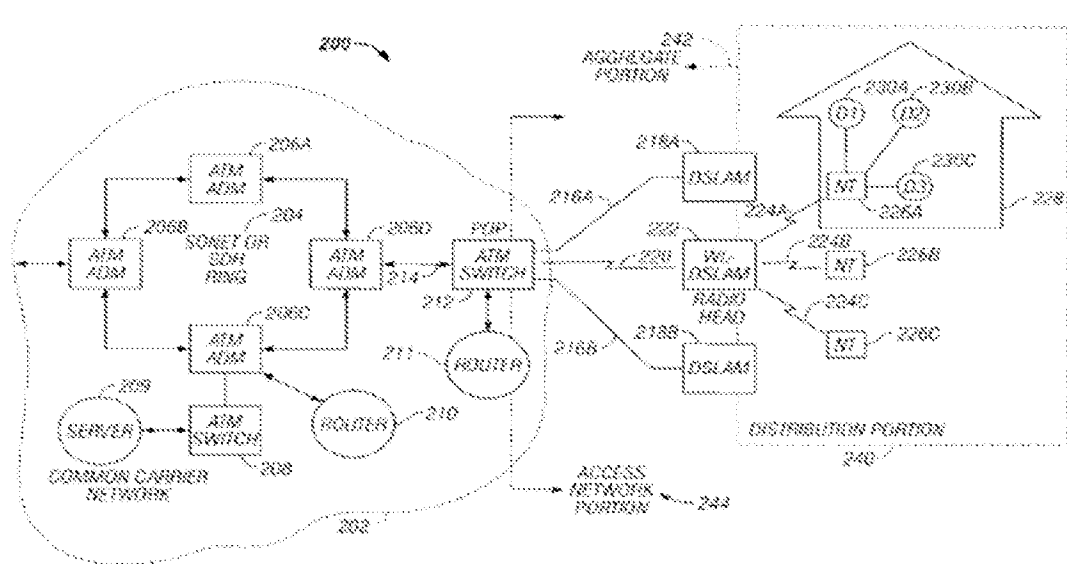
7. ARGUMENTS

Claims 1-2 and 4-5 were rejected as anticipated by Lemieux, United States Patent No. 6,452,942.

Independent claims 1, 10 and 16 were rejected, in whole or in part, over U.S. Patent No. 6,452,942 to Lemieux. Those independent claims all recite at least one public telephone. The Examiner contends that the devices D1-D3 of Lemieux '942 meet this limitation. The Examiner misstates the disclosures of Lemieux:

Each of the distribution channels is terminated with a network termination (NT) node or module that is provided at a user's (or subscriber's) home, of-
 fice, business, or any other facility. For example, three NT modules 226A-226C are shown in this FIG. Also, for purposes of illustration, the NT module 226A is provided at a subscriber's facility 228 which includes three devices, D1 (reference numeral 230A), D2 (reference numeral 230B), and D3 (reference numeral 230C), each requiring a portion of the bandwidth provided by the distribution channel 224A.

Lemieux '942 at column 4, lines 23-31.



Clearly, the devices D1-D3 are not public telephones.

Claims 6-8, 10-11, 13-14, 16, and 18-19 were rejected as unpatentable over Lemieux in view of Soussi, United States Patent Publication 2002/0142721A1

The remaining claims depend directly or indirectly from one of independent claims 1, 10, or 16. All of the claims are therefore patentable.

SUMMARY

The Appellants respectfully submit that the Examiner's final rejection of claims 1-20 should be reversed.

Dated: **October 13, 2006**

Respectfully submitted,
WEIJING CHEN, *et al.*

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CLAIMS APPENDIX

1. A system for establishing a public wireless local area network for a plurality of wireless communication devices, the system comprising:

a public switched telephone network;

a digital subscriber line access multiplexer in communication with the public switched network;

at least one public telephone in communication with the public switched telephone network; and

a wireless local area network hub in communication with the public telephone and with the digital subscriber line access multiplexer, the wireless local area network hub being adapted to establish a digital subscriber line connection with the wireless communication devices.

2. The system of claim 1 further comprising:

a broadband remote access service in communication with the digital subscriber line access multiplexer.

3. The system of claim 2 wherein the broadband remote access service provides a connection between the wireless communication devices and an Internet service provider.

4. The system of claim 2 wherein the broadband remote access service provides a connection between the wireless communication devices and a private network.

5. The system of claim 1 wherein the at least one public telephone is in communication with the public switched telephone network over a pair of copper wires.

6. The system of claim 1 wherein the wireless local area network hub operates according to IEEE standard 802.11b.

7. The system of claim 1 wherein the wireless local area network hub operates according to IEEE standard 802.11a.

8. The system of claim 1 wherein the wireless local area network hub operates according to IEEE standard 802.11g.

9. The system of claim 1 wherein the at least one public telephone is located in a booth.

10. A system for establishing a public wireless local area network for a plurality of wireless communication devices, the system comprising:

a public switched telephone network;

a digital subscriber line access multiplexer in communication with the publicly switched network;

at least one public telephone in communication with the publicly switched telephone network; and

a wireless local area network hub operating according to IEEE standard 802.11b, the wireless local area network hub in communication with the public telephone and with the digital subscriber line access multiplexer, the wireless local area network hub being adapted to establish a digital subscriber line connection with the wireless communication devices.

11. The system of claim 10 further comprising:

a broadband remote access service in communication with the digital subscriber line access multiplexer.

12. The system of claim 11 wherein the broadband remote access service provides a connection between the wireless communication devices and an Internet service provider.

13. The system of claim 11 wherein the broadband remote access service provides a connection between the wireless communication devices and a private network.

14. The system of claim 10 wherein the at least one public telephone is in communication with the public switched telephone network over a pair of copper wires.

15. The system of claim 10 wherein the at least one public telephone is located in a booth.

16. A system for establishing a public wireless local area network for a plurality of wireless communication devices, the system comprising:

- a public switched telephone network;

- a digital subscriber line access multiplexer in communication with the public switched network;

- at least one public telephone in communication with the public switched telephone network;

- a wireless local area network hub operating according to IEEE standard 802.11b, the wireless local area network hub in communication with the public telephone and with the digital subscriber line access multiplexer, the wireless local area network hub being adapted to establish a digital subscriber line connection with the wireless communication devices; and

- a broadband remote access service in communication with the digital subscriber line access multiplexer.

17. The system of claim 16 wherein the broadband remote access service provides a connection between the wireless communication devices and an Internet service provider.

18. The system of claim 16 wherein the broadband remote access service provides a connection between the wireless communication devices and a private network.

19. The system of claim 16 wherein the at least one public telephone is in communication with the public switched telephone network over a pair of copper wires.

20. The system of claim 16 wherein the at least one public telephone is located in a booth.

Evidence Appendix

None.

Related Proceedings Appendix

None.